

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR TO WAIVE THE SOURCE SELECTION PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES ARTICLE X PROCUREMENT AND REAL ESTATE CODE, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT OF ALL OUTSTANDING INVOICES TO INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM") IN AN AMOUNT NOT TO EXCEED \$42,081.18. ALL INVOICES WILL BE PAID FROM AND CHARGED TO FDOA 5501 (AIRPORT REVENUE FUND), DEPARTMENT 180107 (DEPARTMENT OF AVIATION, AVIATION INFORMATION SERVICES), 5212001 CONSULTING/PROFESSIONALSERVICES), FUNCTIONAL ACTIVITY 7563000 (AIRPORT); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") Department of Aviation, desires to pay IBM for Software Maintenance and Support services rendered from August 1, 2007 to July 31, 2008 for Maximo Software licenses currently owned by City of Atlanta, Department of Aviation; and

WHEREAS, the General Manager of the Department of Aviation and the Chief Procurement Officer desire to have payment issued to IBM for unpaid invoices in an amount not to exceed \$42,081.18.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That the City's actions in accepting and paying for services provided by IBM from August 1, 2007 to July 31, 2008 are ratified and confirmed and the Chief Financial Officer is authorized to remit payment to IBM for unpaid invoices incurred through July 31, 2008 in an amount not to exceed \$42,081.18.

SECTION 2: That all services will be charged to and paid from FDOA 5501 (Airport Revenue Fund), Department 180107 (DOA-Aviation Information Services), 5212001 (Consulting/Professional Services), Functional Activity 7563000 (Airport).

SECTION 3: That Article X of the City of Atlanta's Code of Ordinances is hereby waived to the extent that such provisions apply to the authorization of payment for services rendered by IBM.

SECTION 4: That all Ordinances or parts of Ordinances in conflict with this Ordinance are waived for this instance only.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

FAC Confirmed by:

B. To be completed by the department:

1. A request to pay the outstanding invoice for P.O. #2007100512 to IBM for Maximo Software Maintenance Support Renewal Agreement. This request is to cover service from July 1, 2007 to June 30, 2008. All Maximo based software applications are licensed, owned, operated and managed by City of Atlanta, Department of Aviation. The total cost for this agreement is an amount not to exceed \$42,081.18.

2. Please provide background information regarding this legislation.

During the implementation of the Oracle ERP system, P.O. #2007100512 was converted into the new system into the incorrect account. This has resulted in non payment to IBM for support services for Maximo. The Maximo system has been a valuable part of how the maintenance department performs its preventive and corrective maintenance for over eight years now. The initial requirements for Maximo was to set it up in a manner that, would allow for the capture of all costs associated with performing maintenance tasks, here at the airport. Since then, the system has evolved to meet the changing needs of the airport.

The information maintained in the database continues to expand and allows for customized reporting, as well as failure analysis preformed by the system. The Maximo system has work order tracking and work reporting ability. It has been looked at by the Federal Aviation Administration and private industry groups both local and nation wide as a key reason that Hartsfield – Jackson International Airport consistently maintains a 0% discrepancy on its FAA annual operational inspection. Proposed systems integration to Oracle Financial and our vision for future application improvements like, wireless mobile device usage for real time work order management will further enhance the Maintenance Department's ability to provide all necessary services.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center (Ex. Name and number): 5501.180107.5212001.7563000

Fund: 5501 **Account:** 5212001 **Center:** 180107

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Sharon Jones/Tracy Gary

This Legislative Request Form Was Prepared By: Sharon Jones/Tracy Gary

Legislation Summary

Committee of Purview:

Caption

An ordinance authorizing the Mayor to execute an appropriate contractual agreement on behalf of the Department of Aviation with International Business Machines Corporation ("IBM") in an amount not to exceed forty two thousand eighty one dollars and eighteen cents (\$42,081.18). All contract work shall be charged to and paid from fund account and center number: 5501 (Airport Revenue Fund), 180107 (Department of Aviation, Aviation Information Services), 5212001 (Consulting/Professional Services), 7563000 (Airport).

Council Meeting Date: September 08, 2009

Legislation Title: Ordinance authorizing the Chief Procurement Officer to Remit Payment utilize in Pursuant to waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code for All Outstanding Invoices for Software Maintenance and Support Services to Ratify the Prior Provision of Services since August 1, 2007 to July 31, 2008 on behalf of the Department of Aviation with International Business Machines Corporation ("IBM") in an amount not to exceed forty two thousand eighty one dollars and eighteen cents (\$42,081.18). All contract work shall be charged to and paid from fund account and center number: 5501 (Airport Revenue Fund), 180107 (Department of Aviation, Aviation Information Services), 5212001 (Consulting/Professional Services), 7563000 (Airport).

Requesting Department: Department of Aviation

Contract Type: N/A

Source Selection: Waive Article X ("The Procurement and Real Estate Code") of the Atlanta City Code

Bids/Proposals Due: N/A

Invitations Issued: N/A

Number of Bids/ Proposals Received:	N/A
Bidders/Proponents:	N/A
Justification Statement:	N/A
Background:	N/A
Fund Account Centers:	5501 (Airport Revenue Fund), 180107 (Department of Aviation, Aviation Information Services), 5212001 (Consulting/Professional Services), 7563000 (Airport).
Source of Funds:	N/A
Fiscal Impact:	N/A
Term of Contract:	N/A
Method of Cost Recovery:	N/A
Approval: DOF: DOL:	
Prepared By:	Patricia Lowe, Buyer
Contact Number:	404.330.6583

AG_USA_City of Atlanta Q307-08

End User		Payer		Ship to	
Company: City Of Atlanta IBM Cust Number: 0605079 SAP Customer No: 0007927386 Address: 1300 Inner Loop Rd (MIS) City/State/Zip: ATLANTA,GA,30320 Country: US Contact: Sharon Jones Main Phone: (404) 350-4976 Email: sharon.jones@atlanta-airport.com	Company: City of Atlanta IBM Cust Number: 0605079 SAP Customer No: 0007927386 Address: 1300 Inner Loop Road (MIS) City/State/Zip: ATLANTA,GA,30320 Country: US Contact: Sharon Jones Main Phone: (404) 350-4976 Email: sharon.jones@atlanta-airport.com	Company: City of Atlanta IBM Cust Number: 0605079 SAP Customer No: 0007927386 Address: 1300 Inner Loop Road (MIS) City/State/Zip: ATLANTA,GA,30320 Country: US Contact: Sharon Jones Main Phone: (404) 350-4976 Email: sharon.jones@atlanta-airport.com			

Part #	Part Description	Qty	Start Date	End Date	Unit Price	Extended Price
Additional SAS						
EE36BL	MAXIMO ENTERPRISE ADAPTER SERVER ANNUAL SW MAINT RNVL	1	01-Aug-2007	31-Jul-2008	9,330.14	9,330.14
EE36CLL	MAXIMO ASSET MANAGEMENT REGISTERED USER ANNUAL SW MAINT RNVL	105	01-Aug-2007	31-Jul-2008	367.66	38,625.30
EE36BL	MAXIMO ENTERPRISE ADAPTER SERVER ANNUAL SW MAINT RNVL	1	01-Aug-2008	31-Jul-2009	8,187.21	8,187.21
EE36CLL	MAXIMO ASSET MANAGEMENT REGISTERED USER ANNUAL SW MAINT RNVL	105	01-Aug-2008	31-Jul-2009	322.60	33,894.00
EE36BL	MAXIMO ENTERPRISE ADAPTER SERVER ANNUAL SW MAINT RNVL	1	01-Aug-2009	31-Jul-2010	8,481.95	8,481.95
EE36CLL	MAXIMO ASSET MANAGEMENT REGISTERED USER ANNUAL SW MAINT RNVL	105	01-Aug-2009	31-Jul-2010	324.42	34,114.10

Please fax or email your PO or signed quotation.

Fax: 1-845-559-6260

Email: MRONAFax@us.ibm.com

Payment Terms: Net Payment of the Total Fees noted above is due upon receipt of invoice.

Quotation Terms and Conditions

Quote Expires: 14-Jun-2009

1. The prices listed above are based on the Program(s) being licensed under the terms of the IBM International Program License Agreement ("IPLA") and the License Information ("LI") that can be viewed at <http://www-336.ibm.com/software/tech/ibm/inf> and are included with the statement of the Program, or for electronic delivery included with the product download instructions. Software Subscription and Support (Software Maintenance) is governed by the IBM International Agreement for the Acquisition of Software Subscription and Support ("IASSS"), which is available upon request. This quotation is expressly conditional on acceptance of such terms. No additional terms will apply without IBM's prior, express written consent.
2. More detailed information about Support can be found in the IBM Software Support Guide, located at <http://redsupport.services.ibm.com/guide/handbook.html>.
3. Price quoted does not include any VAT/GST/Intra tax. Applicable sales tax/VAT/GST will be added upon invoicing. If any authority imposes a duty, tax, levy or fee, excluding those based on IBM's net income, upon the Programs and/or Software Subscription and Support, then the End User agrees to pay the amount specified or supply exception documentation. The End User is responsible for any personal property taxes for the Programs, and/or Software Subscription and Support from the delivery date.
4. Changes to the terms of this Quote or the documents referred to herein shall not be valid unless agreed in writing by the End User and IBM. Additional or different terms in any order or written communication from the End User will be void. Please submit your Purchase Order or sign this quotation form to confirm your acceptance of these terms.
5. Prices set forth in this Quote are valid only through the "Quote Expires" date above. Any discounts offered herein are subject to change if item(s) or quantity ordered do not match those listed in this Quote.
6. Net Payment of the Total Fees is due upon receipt of invoice from IBM.
7. Shipping is FOB Origin.
8. You acknowledge and agree that this transaction is to be conducted in the language of this quote, and agree that the terms of the agreement (including this form and the IPLA, LI and IASSS) as written are valid and enforceable. If you are a Business Partner you will ensure that the terms of the IPLA, LI and IASSS, as applicable, are provided to the End User prior to providing any Program(s) to the End User.
9. IBM shall have the right to verify your compliance with the license terms on your premises during your normal business hours and in a manner that minimizes disruption to your business. IBM may use an independent auditor for this with your prior approval, which you will not unreasonably withhold. If you are a Business Partner you will ensure that IBM has the right to verify the End User's compliance with the license terms in accordance with this paragraph.
10. Unless otherwise agreed, IBM may make partial shipment of Programs making up one order.
11. This Quote, and the documents referenced herein, including but not limited to the IPLA, LI and IASSS in Item 1. above, constitute the entire agreement between the parties (and where relevant the End User) in connection with the subject matter includes, and supersedes, negotiations and all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, of the parties with respect thereto.


Additional Comments/Instructions

Shirley Franklin
Mayor

Benjamin R. DeCosta
Aviation General Manager

MEMORANDUM

To: Adam L. Smith,
Chief Procurement Officer
Department of Aviation

From: Mario Diaz, 
Deputy Aviation General Manager
Department of Aviation

Date: June 18, 2009

Subject: Emergency Justification for processing the Maximo Maintenance Support Renewal

Contract Term: July 1, 2009 - June 30, 2010 for a total of \$133,632.99

Overview

The Maximo system is the Maintenance Management System used by the Maintenance Department and Divisional units to record, track and manage Airport Equipment, Inventory, Tools, Work Order request, work order repairs, work order cost, employee labor information, labor and material usage. It is also used to initiate purchase request for low inventory and goods needed in the storeroom. All software licenses are owned by the department and occasionally require support and services. Continuing services with the manufacturer of this software will and phone technical support; thus, helping to prevent any interruption in production.

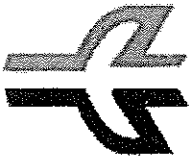
The Maximo renewal agreement will allow the Department to avoid lapse in maintenance support coverage and also keep the Department of Aviation in compliance with the Maximo products currently in use. The current agreement will expire on June 30, 2009.

We are requesting that this requisition be processed during the close out cycle in order to use the funding allocated in our 2008-2009 budget.

cc: Lepora Manigault
Lance Lyttle



1912217
(1912217)



Hartsfield Jackson-Atlanta International Airport

MEMORANDUM

To: Adam L. Smith
Chief Procurement Officer
Department of Procurement

From: Mario Diaz
Deputy General Manager
Department of Aviation *Mario*

Date: May 29, 2009

Subject: **Special Procurement for Maximo Maintenance Support Renewal**

Contract Term: June 30, 2008 - June 30, 2010 for a total of \$133,632.99

In accordance with the City of Atlanta Code of Ordinances, Chapter 2 Administration, Article X Procurement and Real Estate Code, Division 4 Source Selection and Contract Formation, Section 2-1191.1 Special Procurement, we forward the following justification to support the requested authorization for renewing our Maintenance Support agreement with IBM.

Overview

We are requesting a preferred vendor/special procurement designation for IBM, Inc. as the maintenance support provider of the Department of Aviation's MAXIMO, Maintenance Management System. All software licenses are owned by the department and occasionally require support and services. Continuing services with the manufacturer of this software will ensure timely service, discount pricing on new license, free software upgrade and 24x7 online and phone technical support; thus, helping to prevent any interruption in production.

The sole provider for support of the MAXIMO is IBM, Inc. When called for support, IBM, Inc. has provided exceptional service, prompt responses, a strong knowledge base, and attention to detail. In addition, their subject matter experts are readily available to answer questions and provide recommendations on how to use the MAXIMO more efficiently.

IBM, Inc is the best provider for support for the MAXIMO system and has consistently provided excellent customer service; as a result, our recommendation is that this service and support be procured as a Special Procurement.

cc: Lance Lyttle, CIO, Aviation *LL*
IT Business Administration, Aviation

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: 8/18/09

Anticipated Committee Meeting Date(s): 9/02/09

Anticipated Full Council Date: 9/08/09

Commissioner Signature: Maurice Jones

Chief Procurement Officer Signature: Edan Smith

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR TO WAIVE THE SOURCE SELECTION PROVISIONS CONTAINED IN THE CITY OF ATLANTA CODE OF ORDINANCES ARTICLE X PROCUREMENT AND REAL ESTATE CODE, TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO REMIT PAYMENT OF ALL OUTSTANDING INVOICES TO INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM") IN AN AMOUNT NOT TO EXCEED \$42,081.18. ALL INVOICES WILL BE PAID FROM AND CHARGED TO FDOA 5501 (AIRPORT REVENUE FUND), DEPARTMENT 180107 (DEPARTMENT OF AVIATION, AVIATION INFORMATION SERVICES), 5212001 CONSULTING/PROFESSIONALSERVICES), FUNCTIONAL ACTIVITY 7563000 (AIRPORT); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$42,081.18

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: [Signature] 8/18/09 Reviewed by: [Signature]
(date) (date)

Submitted to Council: _____
(date)